DOCID: 4165199

~~TOP SECRET//COMINT//NOFORN//20320108~~
NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

31 May 2007

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 31 March 2007 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

Brian R. McAndrew

BRIAN R. MCANDREW
Acting Inspector General

VITO T. POTENZA
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
Lieutenant General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

This Memorandum is Unclassified
Upon Removal of Enclosure

1. (U//~~FOUO~~) Intelligence, counterintelligence, and intelligence-related activities that violate law, regulation, or policy substantiated during the quarter, as well as any actions taken as a result of the violations.

(b)(1)
(b)(3)-P.L. 86-36

Intelligence Activities

~~(S//SI)~~ **Unintentional collection against United States (U.S.) persons.** [redacted] instances in which Signals Intelligence (SIGINT) analysts inadvertently collected communications to, from, or about U. S. persons while pursuing foreign intelligence tasking were reported this quarter.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

~~(S//SI)~~ [redacted] Unauthorized collection was deleted; no reports were issued. All incidents were reported to responsible oversight officials.

~~(S//SI)~~ Action taken. The selectors for the affected collection were detasked from selection management systems used to manage and task selectors, such as telephone numbers [redacted] to information collection systems [redacted] Unintentionally intercepted electronic mail and voice communications were deleted. Data was removed from data storage systems. Corrective actions were taken to lessen the risk of recurrence included additional training and education and changes to internal controls and software.

~~(S//SI)~~ **Unintentional dissemination of U.S. identities.** During this quarter, [redacted] SIGINT products were cancelled because they contained the identities of U.S. persons, organizations, or entities. In all instances, the reports were either not reissued or were reissued with the proper minimization.

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ **Foreign Intelligence Surveillance Act (FISA) collection.** [redacted] a language analyst learned that a telephone number authorized for collection under a [redacted] court order [redacted] another user sometime around [redacted] collection was halted and all associated communications collected [redacted] were deleted. Authorized collection of the communications associated with an individual listed in a [redacted] court order was stopped on [redacted] when analysts learned that the individual [redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

~~(TS//SI//NF)~~ During a [redacted] review of selection terms entered into [redacted] for tasking that began [redacted] under a new court order, analysts found [redacted] inappropriately tasked [redacted] Only authorized selection terms were entered into [redacted] for tasking, but [redacted]

(b)(1)
(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

[redacted] was terminated and unauthorized selection terms were removed from [redacted] All associated communications were isolated and subsequently destroyed [redacted] No reports were generated.

~~(TS//SI//NF)~~ **FISA dissemination.** [redacted] reports published [redacted] contained domestic communications collected under a [redacted] court order. The reports were cancelled [redacted] Managers reminded analysts of their responsibilities related to the recognition and proper dissemination of domestic communications. [redacted], an analyst sent unminimized NSA FISA-derived communications to [redacted] analysts without proper authorization. The same day, [redacted] analysts were instructed to delete the communications. Unevaluated, unminimized SIGINT derived from court approved collection was improperly disseminated to a [redacted] The same day, [redacted] shared the information with [redacted] The [redacted] subsequently destroyed the improperly disseminated material, which contained the identifications of [redacted] U.S. entities.

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(U) Counterintelligence Activities

Nothing to report.

(U) Intelligence-related Activities

Nothing to report.

2. (U//~~FOUO~~) Intelligence Oversight Inspections

(U//~~FOUO~~) During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders, Attorney General procedures, and Department of Defense and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

(U//~~FOUO~~) **NSA/CSS Georgia.** Inspectors from the [redacted] and the NSA/CSS OIG completed a joint inspection of NSA/CSS Georgia. Personnel within operational areas, especially high-risk mission areas, are well

(b)(3)-P.L. 86-36

versed in the intelligence oversight authorities. No issues were identified within operations. The NSA/CSS OIG will track the minor deficiencies of program documentation and oversee corrective action.

(U//~~FOUO~~) Training programs. Advanced intelligence oversight training on United States Signals Intelligence Directive SIGINT Policy 0018 (USSID SP0018) and the FISA was created for operations watch officers to provide more in-depth information and training on application of the authorities.

(U//~~FOUO~~) Intelligence oversight program structure. NSA/CSS Georgia has made significant improvements in its intelligence oversight program. The program management function was transferred to the operations staff from the security directorate.

(U//~~FOUO~~) Intelligence oversight processes. The site recently transitioned from locally generated training to an NSA/CSS Headquarters Signals Intelligence Directorate (SID) tool that tracks all intelligence oversight training and automatically generates notices to employees, supervisors, and intelligence oversight program managers when training is required. Also, NSA/CSS Georgia has implemented a process to track intelligence oversight training for newly arrived employees by using computer account creation information.

(U//~~FOUO~~) [redacted] Inspectors from the NSA/CSS OIG completed an organizational inspection of the NSA Headquarters [redacted] The [redacted] intelligence oversight training program suffers from a lack of oversight. The NSA/CSS OIG will track the deficiencies and oversee corrective action.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) Training programs. A deficiency in training accountability was noted during the inspection. Only a small number of [redacted] employees had completed the required intelligence oversight training in the last 2 years.

(U//~~FOUO~~) Intelligence oversight program structure. The [redacted] division is responsible to SID for intelligence oversight training and reporting. There is a lack of managerial oversight to ensure the training requirements are met.

(U) Intelligence oversight processes. Employees are aware of their reporting responsibilities, and incidents are reported in a timely manner. The overall weakness of the intelligence oversight program is caused by a lack of managerial oversight.

3. (U) Substantive Changes to the NSA/CSS Intelligence Oversight Program

(U) Nothing to report.

4. (U) Changes to NSA/CSS published directives or policies concerning intelligence, counterintelligence, or intelligence-related activities and the reason for the changes.

(U) Nothing to report.

5. (U) Procedures governing the activities of Department of Defense (DoD) intelligence components that affect U.S. persons (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to Intelligence Oversight Programs.

(U//~~FOUO~~) Special Study. The NSA/CSS OIG conducted a study on [redacted] that receive raw SIGINT. The objectives of the review were to determine whether selected [redacted] have the proper authorization to access raw SIGINT, have been provided guidance on its proper handling and use, and have adhered to applicable intelligence oversight authorities.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) SID documentation, guidance, and intelligence oversight related to the sharing of raw SIGINT with the [redacted] visited is inadequate. The internal controls within SID to oversee SIGINT enabling work performed at the [redacted] visited were not effective, efficient, or measurable. Many SID and [redacted] employees were not cognizant of required intelligence oversight training and related oversight procedures. The NSA/CSS OIG will track the deficiencies and oversee corrective action.

(U//~~FOUO~~) Inquiry. During this quarter, the NSA/CSS OIG Chief of Intelligence Oversight and the OIG Ombudsman completed an inquiry into a complaint of improper intelligence collection at a field site. The allegations were not substantiated.